

**Exhibit 9**

**From:** Roger Gates  
**To:** Goll, Denise  
**CC:** Crank, Danny; Gmoser, Michael  
**Date:** 12/20/2011 12:00 PM  
**Subject:** Re: State of Ohio vs. Merscorp

Denise: Butler County is not currently a party to the lawsuit, and we would have to file a motion to intervene before we would have a right to file anything in the case. I do not think that we would be inclined toward doing that based on the allegations of the Complaint and my discussion with Danny.

On the other hand, a Complaint that identifies Geauga County as bringing the action on behalf of itself and all other similarly situated does not necessarily mean that it actually is going to be a class-action. The Court would have to first certify the class and designate Geauga County as a proper class representative. If the Court certifies a class, we would receive a notice giving us time to either opt-in or opt-out.

Therefore, I am not sure what you are asking us to do at this point since the case does not appear to be procedurally ripe for us to be able to do anything. To my knowledge, Mike has not received any information from the OPAA concerning this case or any concerted effort to pursue it.

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>>> Denise Goll 12/20/2011 11:41 AM >>>  
Roger,

Danny asked that I contact you about this.

I guess recently at an Ohio Prosecutors' Association meeting the Geauga County lawsuit against MERS was discussed. The Ohio Recorders' Association is planning on meeting with the Prosecutor's Association to discuss this matter. It is my understanding that county prosecutors are contacting their recorders to discuss this matter.

I am attaching a copy of the Class Action Complaint that was filed. I know in passing conversation you did not believe this was something that we wanted to jump in on, but would you please take a look and let me know your opinion and also if you know anything about the Prosecutor's Association pursuing this?

Thank you!